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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

## AMERICAN CIVIL LIBERTIES UNION OF NORTHERN CALIFORNIA.

**Plaintiff,**

V.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, IMMIGRATION AND  
CUSTOMS ENFORCEMENT.

Defendant.

Case No. 3:18-cv-4105-LB

## **JOINT CASE MANAGEMENT STATEMENT**

Date: May 20, 2021  
Time: 9:30 a.m.  
Courtroom: Via Zoom  
Judge: Hon. Laurel Beeler

1       The parties submit this joint case management statement in advance of the upcoming May  
2 20, 2021 case management conference.

3       As described in the parties last Case Management Statement filed on February 4, 2021,  
4 following ICE's completion of documents productions in August 2020 in response to the ACLU's  
5 requests under the Freedom of Information Act ("FOIA"), the parties agreed to resolve the claims in  
6 this action without further litigation (in particular as to the scope of the documents produced or the  
7 agency's redactions to those documents), with the intent to enter into a settlement agreement  
8 whereunder the ACLU will dismiss the claims in this action. The ACLU intends to seek attorneys'  
9 fees and costs and the parties agreed to attempt to negotiate a resolution of fees and costs.

10      On April 15, 2021, the ACLU presented a fees and costs proposal to the agency, which the  
11 agency is now assessing. In light of this, the parties respectfully ask the Court to take the upcoming  
12 case management conference on May 20, 2021 off calendar while the parties attempt to resolve the  
13 fees and costs issue. The parties propose that they file a joint update with the Court by July 30, 2021.  
14

15      Dated: May 11, 2021

Respectfully submitted,

17      By: /s/ Neel Chatterjee

Neel Chatterjee

Andrew Ong

Hayes P. Hyde

**GOODWIN PROCTER LLP**

20      Vasudha Talla

William S. Freeman

**AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION OF  
NORTHERN CALIFORNIA**

23      *Attorneys for Plaintiff*

24      Dated: May 11, 2021

STEPHANIE M. HINDS

Acting United States Attorney

26      By: /s/ Kenneth Brakebill

KENNETH BRAKEBILL

Assistant United States Attorney

## **ATTORNEY ATTESTATION**

I hereby attest, pursuant to Local Rule 5-1(i)(3), that I obtained the concurrence in the filing of this document from the signatories indicated by the conformed signature (/s).

/s/ Neel Chatterjee  
Neel Chatterjee

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on May 11, 2021. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on May 11, 2021, in Los Altos, California.

/s/ Neel Chatterjee  
Neel Chatterjee